

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
NECA-IBEW PENSION TRUST FUND and ;
DENIS MONTGOMERY, on behalf of ;
themselves and all others similarly situated, ;

Plaintiffs, ;

v. ;

BANK OF AMERICA CORPORATION, *et al.*, ;

Defendants. ;
----- X

No. 10 Civ. 00440 (LAK) (HBP)

ECF CASE

STIPULATION AND
~~PROPOSED~~ ORDER

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WHEREAS, on January 18, 2011, plaintiffs filed the First Amended Complaint
[Dkt. No. 25];

WHEREAS, on March 4, 2011, defendants moved to dismiss the First Amended
Complaint [Dkt. Nos. 26 & 29];

WHEREAS, on February 9, 2012, Magistrate Judge Henry B. Pitman issued a
Report and Recommendation in which he recommended that defendants' motions to dismiss be
granted [Dkt. No. 54];

WHEREAS, on February 23, 2012, plaintiffs filed objections (the "Objections")
to the Report and Recommendation [Dkt. No. 55];

WHEREAS, defendants' responses to the Objections are currently due on March
8, 2012;

WHEREAS, defendants have sought plaintiffs' consent to a one-week extension
of their time to respond to the Objections;

WHEREAS, plaintiffs have consented to the one-week extension; and

WHEREAS, this is defendants' first request for an extension of time.

NOW, THEREFORE, it is hereby stipulated and agreed among the parties that defendants shall file any responses to the Objections no later than March 15, 2012.

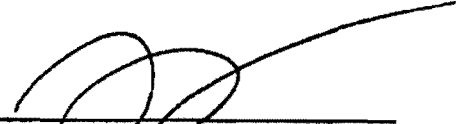
Dated: New York, New York
March 2, 2012



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and Banc of America Securities LLC

SO ORDERED



LEWIS A. KAPLAN, USDJ

3/7/12